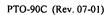


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APPLICATION NO. FILING I		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,125	-	01/31/2001	Yoshihiro Ishibe	35.C15080	1130
5514	7590	07/01/2002			
		LLA HARPER	EXAMINER		
	30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PHAN, JAMES	
				ART UNIT	PAPER NUMBER
				2872	
				DATE MAILED: 07/01/2002	8

Please find below and/or attached an Office communication concerning this application or proceeding.



Application No. 09/774,125

Applicant(s)

Ishibe

Office Action Summary

Examiner

James Phan

Art Unit **2872**

	The MAILING DATE of this communication appears	on the cover sheet with the correspondence address
	for Reply	
	ORTENED STATUTORY PERIOD FOR REPLY IS SET MAILING DATE OF THIS COMMUNICATION.	TO EXPIRE <u>one</u> MONTH(S) FROM
- Extens	ions of time may be available under the provisions of 37 CFR 1.136 (a). In	no event, however, may a reply be timely filed after SIX (6) MONTHS from the
	date of this communication. Period for reply specified above is less than thirty (30) days, a reply within the	e statutory minimum of thirty (30) days will be considered timely.
	period for reply is specified above, the maximum statutory period will apply a to reply within the set or extended period for reply will, by statute, cause th	nd will expire SIX (6) MONTHS from the mailing date of this communication. e application to become ABANDONED (35 U.S.C. § 133).
-	ply received by the Office later than three months after the mailing date of t patent term adjustment. See 37 CFR 1.704(b).	his communication, even if timely filed, may reduce any
Status	patent term aspectations. Good of Griff 1770 (g),	
1) 🗆	Responsive to communication(s) filed on	
2a) 🗆	This action is FINAL . 2b) ☑ This act	ion is non-final.
3) 🗆	Since this application is in condition for allowance eclosed in accordance with the practice under Ex particle.	except for formal matters, prosecution as to the merits is rte Quayle, 1935 C.D. 11; 453 O.G. 213.
Disposi	tion of Claims	
4) 💢	Claim(s) 1-38	is/are pending in the application.
4	a) Of the above, claim(s)	is/are withdrawn from consideration.
5) 🗆	Claim(s)	is/are allowed.
6) 🗆	Claim(s)	is/are rejected.
7) 🗆	Claim(s)	is/are objected to.
8) 💢	Claims <u>1-38</u>	are subject to restriction and/or election requirement.
Applica	tion Papers	
9) 🗆	The specification is objected to by the Examiner.	
10)	The drawing(s) filed on is/are	a) \square accepted or b) \square objected to by the Examiner.
	Applicant may not request that any objection to the d	rawing(s) be held in abeyance. See 37 CFR 1.85(a).
11)	The proposed drawing correction filed on	is: a) \square approved b) \square disapproved by the Examiner.
	If approved, corrected drawings are required in reply t	o this Office action.
12)	The oath or declaration is objected to by the Exami	ner.
Priority	under 35 U.S.C. §§ 119 and 120	
13)💢	Acknowledgement is made of a claim for foreign pr	iority under 35 U.S.C. § 119(a)-(d) or (f).
a) 🕽	∄ All b)□ Some* c)□ None of:	
	1. $ ot\!$	e been received.
	2. \square Certified copies of the priority documents hav	e been received in Application No
	3. Copies of the certified copies of the priority de application from the International Bure	au (PCT Rule 17.2(a)).
_	ee the attached detailed Office action for a list of the	
. –	Acknowledgement is made of a claim for domestic	
a) ∟ 15\□		
15) L	Acknowledgement is made of a claim for domestic	priority under 30 0.3.6. 33 120 and/or 121.
_	ent(s) tice of References Cited (PTO-892)	4) Interview Summary (PTO-413) Paper No(s).
_	tice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal Patent Application (PTO-152)
3) 🔲 Inf	ormation Disclosure Statement(s) (PTO-1449) Paper No(s).	6) Other:

Application/Control Number: 09/774125

Art Unit: 2872

Election/Restriction

1. This application contains claims directed to the following patentably distinct species of the claimed invention: (1) a light scanning optical system having satisfied the condition $0.8 \le \text{Emin/Emax}$ (claims 1-13 and 26-38), and (2) a light scanning optical system having satisfied the condition $\Delta s/Ds \le 0.9$ (claims 14-25).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

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2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

3. Any inquiry concerning this communication should be directed to James Phan at telephone number (703) 308-4810. The TC 2800 fax phone number is (703) 308-7722.

J.Phan

June 29, 2002

James Phan
Primary Examine